

Remark

Applicants respectfully request reconsideration of this application as amended. Claims 56, 57, and 58 have been amended. Claims 1-29, 31, 35, 36 and 49 have been cancelled. Claim 44 has been withdrawn. Claims 59-62 have been added as New. Therefore, claims 30, 32-34, 37-43, 45-48 and 50-62 are present for examination.

35 U.S.C. §101 Rejection

The Examiner has rejected claims 56-58 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claims 56-58 have been amended to directly recite an "article" which is specifically described as patentable in the statute.

35 U.S.C. §103 Rejection

Bluetooth in view of Kammer

The Examiner has rejected claims 30, 32-34, 37-43 and 45-58 under 35 U.S.C. §103 (a) as being unpatentable over "Specification of the Bluetooth System-Part E", ("Bluetooth Specification"), in view of Kammer, U.S. Patent No. 6,826,387 ("Kammer"). The Examiner states that while a database of ports and service names is inherent although not shown in the Bluetooth specification.

Applicants respectfully submit that Claim 30, for example, does not only have a database that includes a port, a service record and a service name. Claim 30 also refers to sending a connection request including the service name to indicate the appropriate service and connecting utilizing the service name to initiate the connection. In the references, the connection requests are sent and connections are made using ports. The

Examiner's response to Arguments has not pointed to any such teaching in the Bluetooth specification nor in Kammer.

The Examiner, in the Response to Arguments, notes that "the whole purpose of Kammer is for allowing two devices to communicate with applications on other devices." Be this as it may, Claim 30, for example specifically recites "including the service name to indicate the appropriate service" and "connecting... utilizing the service name... to initiate the connection." Kammer does not specifically teach this and accordingly, the connection requests and connection are sent and initiated using ports and not service names.

The Examiner would appear to be arguing that the claims must be interpreted to be consistent with the Bluetooth specification and therefore are rendered at least obvious by the Bluetooth specification. However, most of the claims do not even refer to the Bluetooth specification. Accordingly, the claimed invention may diverge from what is required in Bluetooth if such a divergence is recited in the claim. One alternative to the Bluetooth specification in the claims, as mentioned above, is that the service name indicates the appropriate service and the connection is initiated utilizing the service name. indicates the appropriate service and the connection is initiated utilizing the service name.

Since there is no suggestion or teaching of this difference in either reference, the claims are believed to be allowable.

Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
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